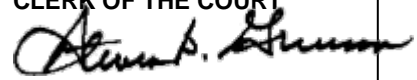


Exhibit “A”

Plaintiff's Complaint

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COMP

RAHUL RAVIPUDI
Nevada Bar No. 14750
ravipudi@psblaw.com

IAN SAMSON
Nevada Bar No. 15089
samson@psblaw.com

ADAM ELLIS
Nevada Bar No. 14514
ellis@psblaw.com

JANICE J. PARKER
Nevada Bar No. 14102
ellis@psblaw.com

PANISH SHEA & BOYLE LLP

8816 Spanish Ridge Avenue
Las Vegas, Nevada 89148
Tel. (702) 560.5520 | Fax. (702) 975.2515

Attorneys for Plaintiff

DISTRICT COURT**CLARK COUNTY, NEVADA**

JOANNE SCARPELLI, an
Individual,
Plaintiff,

v.

WALMART INC., a Delaware Corporation;
JETON BERISHA, an individual; DOES I
through X, inclusive; and ROE
CORPORATIONS XI through XX, inclusive,
Defendants.

Case No.
Dept. No.

COMPLAINT**DEMAND FOR JURY TRIAL**

ARBITRATION EXEMPT
(Amount in Controversy Exceeds \$50,000)

COMES NOW, Plaintiff, JOANNE SCARPELLI, by and through her attorneys the law firm
of Panish Shea & Boyle, LLP, and hereby demands a trial by jury and complains and alleges against
Defendants as follows:

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COMPLAINT

PARTIES AND JURISDICTION

1
2 1. Plaintiff JOANNE SCARPELLI is, and at all times relevant thereto, was, a resident
3 of Clark County, Nevada.

4 2. Defendant WALMART INC. is, and at all times relevant herein was, a Delaware
5 Corporation conducting business in Clark County, Nevada.

6 3. Defendant JETON BERISHA is, and at all times relevant thereto, was, a resident of
7 Clark County, Nevada.

8 4. The true names and/or capacities, where individual or corporate, associate or
9 otherwise of Defendants DOES I through X and ROE CORPORATIONS XI through XX, and each
10 of them, presently unknown to Plaintiff who therefore sues said Defendants by such fictitious names.
11 Plaintiff is informed and believes and therefore alleges that each of the Defendant fictitiously named
12 herein as a DOE or ROES are the owners, operators, officers, directors, partners, or agents of the
13 other Defendants, or were legally responsible, negligently or in some other actionable manner, for
14 the events and happenings hereinafter referred to, and therefore, proximately caused the injuries and
15 damages to Plaintiff as herein alleged. Plaintiff will seek leave of court to amend this complaint
16 and state the trues names and/or capacities of such fictitiously named Defendants when the same
17 have been ascertained.

18 5. Upon information and belief, Defendants, and each of them, were the agents,
19 servants, and employees of each other and were acting within the course and scope of their agency,
20 service, and/or employment and each, when acting as a principal, was negligent in the hiring and
21 selection of each other as an agent, employee, and/or joint venturer.

22 6. Defendant WALMART INC. maintains purposeful contacts with the state of Nevada
23 by conducting business in Nevada generally and within Clark County specifically.

24 7. Upon information and belief, Defendant WALMART INC operates the following
25 locations within the state of Nevada: thirty (30) Supercenters, eleven (11) Neighborhood Markets,
26 seven (7) Sam's Clubs, two (2) discount stores, and three (3) distribution centers.

27 8. Upon information and belief, Defendant WALMART INC. operates at least twelve
28 (12) locations and one (1) distribution center in Clark County, Nevada.

1 19. While visiting the SUBJECT PREMISES, Plaintiff fell and suffered injuries due to
2 a dangerous condition.

3 20. One or more employees of WALMART, that were supervised by JETON BERISHA,
4 were present in the vicinity of the dangerous condition and caused the dangerous condition to exist
5 and/or failed to warn Plaintiff of its existence.

6 21. Defendants, and each of them, knew or should have known of the dangerous
7 condition that existed on the SUBJECT PREMISES and failed to warn patrons or other guests of
8 the same.

9 22. Upon information and belief, Defendants, and each of them, caused the above
10 described dangerous condition to exist.

11 23. Upon information and belief, Defendants, and each of them, failed to warn patrons
12 and other persons, including Plaintiff, of the above described dangerous condition on the SUBJECT
13 PREMISES.

14 24. As a direct and proximate result of the actions and inactions of Defendants, and each
15 of them, Plaintiff fell and suffered severe physical and mental injuries and damages.

16 **FIRST CLAIM FOR RELIEF**

17 **(Negligence Against All Defendants)**

18 25. Plaintiff repeats and realleges each and every foregoing paragraph set forth above
19 and incorporates the same by reference as though fully set forth at length herein.

20 26. At all times material hereto, particularly on May 6, 2021, Defendants, and each of
21 them, owed a duty of reasonable care to maintain the SUBJECT PREMISES in a safe and secure
22 condition.

23 27. At all times material hereto, Defendants, and each of them, owed a duty of reasonable
24 care for the safety of patrons or other persons on the SUBJECT PREMISES.

25 28. At all times material hereto, Defendants, and each of them, owed a duty of reasonable
26 care to warn patrons and other persons on the SUBJECT PREMISES of dangers actually or
27 constructively known to exist by Defendants.

28 29. It was reasonably foreseeable to Defendants, and each of them, that patrons would

1 walk within the SUBJECT PREMISES, including on or near the dangerous condition.

2 30. Defendants, and each of them, knew or should have known about the dangerous
3 condition.

4 31. Defendants, and each of them, failed to exercise due care in properly maintaining the
5 SUBJECT PREMISES.

6 32. Defendants, and each of them, failed to exercise due care in properly warning patrons
7 and other persons of the dangerous condition described above.

8 33. Defendants, and each of them, failed to exercise due care in ensuring the safety of
9 patrons or other persons on the SUBJECT PREMISES.

10 34. As a direct and proximate result of the negligence, carelessness and reckless action
11 and inactions of the Defendants, and each of them, their employees, agents, and assigns, Plaintiff
12 has suffered severe and serious personal physical and mental injuries. Plaintiff has sustained
13 damages in an amount in excess of Fifteen Thousand Dollars (\$15,000).

14 35. As a direct and proximate result of the negligence of Defendants, and each of them,
15 Plaintiff has been limited in occupational and recreational activities, which have caused and shall
16 continue to cause Plaintiff physical impairment, mental anguish, and loss of enjoyment of life, in a
17 presently unascertainable amount.

18 36. As a further direct and proximate result of Defendants' negligence, Plaintiff incurred
19 expenses for medical care and treatment and will incur expenses for medical care and treatment in
20 the future in an amount to be proven at trial.

21 37. The Plaintiff has been required to engage the services of an attorney, incurring
22 attorney's fees and costs to bring this action.

23 **SECOND CLAIM FOR RELIEF**

24 **(Premises Liability Against All Defendants)**

25 38. Plaintiff repeats and realleges each and every foregoing paragraph set forth above
26 and incorporates the same by reference as though fully set forth at length herein.

27 39. At all times material hereto, Defendants owned or controlled the SUBJECT
28 PREMISES.

- 1 3) For an award of reasonable attorneys' fees and costs incurred in this action;
2 4) For pre-judgment and post-judgment interest, as the rate allowed by law, on such amounts
3 awarded from the date of filing this Complaint and after judgment is entered; and
4 5) For any such other and further relief as the Court deems proper.

5 **PANISH SHEA & BOYLE LLP**

6 By: /s/ Janice Parker
7 RAHUL RAVIPUDI, NV Bar No. 14750
8 IAN SAMSON, NV Bar No. 15089
9 ADAM ELLIS, NV Bar No. 14514
10 JANICE J. PARKER, NV Bar No. 14102
11 8816 Spanish Ridge Avenue
12 Las Vegas, Nevada 89148
13 *Attorneys for Plaintiff*

14 **DEMAND FOR JURY TRIAL**

15 Pursuant to NRCP 38, Plaintiffs hereby demand a trial by jury on all claims so triable.

16 **PANISH SHEA & BOYLE LLP**

17 By: /s/ Janice Parker
18 RAHUL RAVIPUDI, NV Bar No. 14750
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20 ADAM ELLIS, NV Bar No. 14514
21 JANICE J. PARKER, NV Bar No. 14102
22 8816 Spanish Ridge Avenue
23 Las Vegas, Nevada 89148
24 *Attorneys for Plaintiff*